



### **THIRD DEFENSE**

#### **Answer**

For further defense, Defendant NWCA answers the allegations in the Complaint as follows:

1. Paragraph 1 contains conclusions of law, to which no response is required. To the extent a response is required, Defendant denies.

2. It is admitted that Defendant's Property is located in Guilford County, North Carolina. The remaining allegations contained in Paragraph 2 conclusions of law, to which no response is required. To the extent a response is required, Defendant denies.

3. The allegations contained in Paragraph 3 of the Complaint are admitted upon information and belief.

4. Defendant is without sufficient knowledge or information upon which to form a belief as to the truth or falsity of the allegations contained in Paragraph 4 of the Complaint, and the same are, therefore, denied.

5. Defendant is without sufficient knowledge or information upon which to form a belief as to the truth or falsity of the allegations contained in Paragraph 5 of the Complaint, and the same are, therefore, denied.

6. The allegations in Paragraph 6 of the Complaint are admitted.

7. The allegations in Paragraph 7 of the Complaint are admitted.

### **COUNT I** **(Violation of Title III of the ADA)**

8. As to the allegations contained in Paragraph 8 of the Complaint, Defendant NWCA realleges Paragraphs 1 through 7 above as if stated full herein.

9. The allegations in Paragraph 9 of the Complaint are admitted.

10. Defendant is without sufficient knowledge or information upon which to form a belief as to the truth or falsity of the allegations contained in Paragraph 10 of the Complaint, and the same are, therefore, denied.

11. Defendant is without sufficient knowledge or information upon which to form a belief as to the truth or falsity of the allegations contained in Paragraph 11 of the Complaint, and the same are, therefore, denied.

12. Defendant is without sufficient knowledge or information upon which to form a belief as to the truth or falsity of the allegations contained in Paragraph 12 of the Complaint, and the same are, therefore, denied.

13. The allegations contained in Paragraph 13 of the Complaint are denied.  
Defendants address the allegations contained in Paragraphs 13A, 13B, and 13C of the Complaint below.

A. Defendant is without sufficient knowledge or information upon which to form a belief as to the truth or falsity of the allegations contained in Paragraph 13A of the Complaint, and the same are, therefore, denied.

B. Defendant is without sufficient knowledge or information upon which to form a belief as to the truth or falsity of the allegations contained in Paragraph 13B of the Complaint, and the same are, therefore, denied.

C. Defendant is without sufficient knowledge or information upon which to form a belief as to the truth or falsity of the allegations contained in Paragraph 13C of the Complaint, and the same are, therefore, denied.

14. Defendant is without sufficient knowledge or information upon which to form a belief as to the truth or falsity of the allegations contained in Paragraph 14 of the Complaint, and the same are, therefore, denied.

15. The allegations in Paragraph 15 of the Complaint are denied.

16. Defendant is without sufficient knowledge or information upon which to form a belief as to the truth or falsity of the allegations contained in Paragraph 16 of the Complaint, and the same are, therefore, denied.

17. The allegations in Paragraph 17 of the Complaint are denied.

18. Defendant is without sufficient knowledge or information upon which to form a belief as to the truth or falsity of the allegations contained in Paragraph 18 of the Complaint, and the same are, therefore, denied.

19. The allegations in Paragraph 19 of the Complaint are denied.

**FOURTH DEFENSE**  
**Standing**

Plaintiff lacks standing to raise the claims set forth in the Complaint as Plaintiff has not established a plausible intention to return to the facility owned by Defendant.

**FIFTH DEFENSE**  
**Right to Plead**

Defendant repeats and realleges each and every allegation of the Answer as if restated herein. The answering Defendant reserves the right to further amend its Answer, should additional defenses come to light through further investigation, during discovery or by proof at trial.

WHEREFORE, Defendant Northwest Centre Acquisition LLC prays the Court that:

1. Plaintiff's Complaint against Defendant be dismissed in its entirety;
2. Plaintiff has and recovers nothing of Defendant;
3. The costs of this action be taxed against Plaintiff, including attorneys' fees as allowed by law; and
4. For such other and further relief as to this Court seems just and proper.

This the 12<sup>th</sup> day of August, 2021.

/s/ Jennifer N. Fountain  
Jennifer N. Fountain  
State Bar No. 26725  
Email: [jennifer@isaacsonsheridan.com](mailto:jennifer@isaacsonsheridan.com)  
*Counsel for Defendant Northwest Centre Acquisition LLC*

/s/ Ben J. Rafte  
Ben J. Rafte  
State Bar No. 54963  
Email: [ben@isaacsonsheridan.com](mailto:ben@isaacsonsheridan.com)  
*Counsel for Defendant Northwest Centre Acquisition LLC*

OF COUNSEL:  
Isaacson Sheridan  
804 Green Valley Rd., Suite 200  
Greensboro, NC 27408  
Telephone: (336) 609-5136  
Facsimile: (336) 273-7293

**CERTIFICATE OF SERVICE**

I certify that on the 12<sup>th</sup> day of August, 2021, I electronically filed the foregoing ANSWER with the Clerk of Court using the CM/ECF system which will send notification of such filing to all counsel and parties of record.

This the 12<sup>th</sup> day of August, 2021.

/s/ Jennifer N. Fountain

Jennifer N. Fountain

*Counsel for Defendant Northwest Centre  
Acquisition, LLC*